

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

R.S., individually and as successor in
interest to Rudy Santillan, Sr., deceased,
et al.,

Plaintiffs,

v.

COUNTY OF STANISLAUS, et al.,

Defendants.

No. 1:20-cv-01170-ADA-SKO

ORDER DIRECTING THE CLERK TO
TERMINATE DEFENDANTS DANNY
ANDERSON, MIGUEL GARCIA, ERIC
TORRES, DUSTIN WILLEY, ALBERTO
NAVARRO, ERIC GARCIA, BENJAMIN
CARNES, BARRY BALANCE, MORIN
YOM, COLTON HUGHES, and ROBERT
DOMINGOS

(Doc. 51)

On December 19, 2022, the parties filed a “Stipulation to Dismiss Individual Defendants With Prejudice,” pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). (Doc. 51.)

In relevant part, Rule 41(a)(1)(A) provides as follows:

[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A). “The plaintiff may dismiss some or all of the defendants, or some or all of his claims, through a Rule 41(a)(1) notice,” and the dismissal “automatically terminates the action as to the defendants who are the subjects of the notice.” *Wilson v. City of San Jose*, 111

1 F.3d 688, 692 (9th Cir. 1997).

2 Because the parties filed a stipulation of dismissal with prejudice under Rule
3 41(a)(1)(A)(ii), this case has automatically terminated as to Defendants DANNY ANDERSON,
4 MIGUEL GARCIA, ERIC TORRES, DUSTIN WILLEY, ALBERTO NAVARRO, ERIC
5 GARCIA, BENJAMIN CARNES, BARRY BALANCE, MORIN YOM, COLTON HUGHES, and
6 ROBERT DOMINGOS. Fed. R. Civ. P. 41(a)(1)(A). Accordingly, the Clerk of the Court is
7 directed to TERMINATE Defendants DANNY ANDERSON, MIGUEL GARCIA, ERIC
8 TORRES, DUSTIN WILLEY, ALBERTO NAVARRO, ERIC GARCIA, BENJAMIN CARNES,
9 BARRY BALANCE, MORIN YOM, COLTON HUGHES, and ROBERT DOMINGOS

10 This case shall remain OPEN pending resolution of Plaintiffs' case against the remaining
11 defendants.

12 IT IS SO ORDERED.
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14 Dated: December 20, 2022

/s/ Sheila K. Oberto
15 UNITED STATES MAGISTRATE JUDGE

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